

Employment equity has been a priority for 2SLGBTQIA+ communities in Canada for over 50 years. At the August 28, 1971 "We Demand" rally, the first cross-country gay rights demonstration in Canada, activists presented a list of demands to the Government of Canada, including the right to equal employment and promotion (Kinsman & Gentile 2010). As of 2018, human rights legislation in Canada now protects workers from discrimination based on sexual orientation, gender identity and gender expression and yet 2SLGBTQIA+ people in Canada continue to receive lower pay, be employed in more precarious roles, and have less access to benefits, in addition to having higher unemployment rates (Kinitz et al. 2023).

Given that data collection, employment equity plans, and workplace system reviews under the Employment Equity Act (EEA) to this point have not required inclusion of 2SLGBTQIA+, many employers have excluded 2SLGBTQIA+ employees from their employment equity efforts, and reliable longitudinal data on 2SLGBTQIA+ representation / employment equity in Canada are virtually nonexistent. Many employers have based their diversity, equity, and inclusion (DEI) strategies off the EEA's four designated groups (women, Aboriginal peoples, persons with disabilities, and members of visible minorities), and Pride at Work Canada (PaWC) has heard from employers and 2SLGBTQIA+ individuals that exclusion from the EEA requirements has in some cases been the reason that data on sexual orientation and gender identity is not collected and that resources have not been allocated for 2SLGBTQIA+ inclusion.

There have been significant costs for employers and for the 2SLGBTQIA+ community in Canada as a result of this exclusion:

- Bisexual men and women earn approximately 37% less than heterosexual men, with lesbian women earning approximately 21% less and gay men earning approximately 16% less compared to heterosexual men (Stats Canada 2022).
- Gay, lesbian and bisexual people are still more likely to experience verbal abuse, discrimination, and humiliation at work than heterosexual workers and are five times more likely to have been sexually harassed at work than heterosexual workers (Kinitz et al. 2023).
- Only 42% of nonbinary people and 45% of trans people in Canada over 25 years of age have permanent full-time employment (Navarro et al. 2021), a significant gap compared to 73.1% of the Canadian population (Stats Canada 2024).
- Only 28% of trans and nonbinary people have incomes of \$50,000 or more, another significant gap compared to the median income of \$52,400 among Canadians in 2019 (TransPULSE Canada 2020).
- Heterosexism and transphobia in workplaces reduce productivity, employee retention, and employee wellbeing, indicating that the continued exclusion of 2SLGBTQIA+ workers from the provisions of the EEA carries serious costs and illuminates a missed opportunity for Canadian employers and the Canadian economy (Waite 2021).

Recommendations for the Employment Equity Act

- 1. The Employment Equity Act must be updated to include explicit provisions for 2SLGBTQIA+ workers who are underrepresented and face unique barriers to employment on the basis of sexual orientation, gender identity, gender expression, and sex characteristics, and this definition must be protected in the Act.
- 2. The Employment Equity Act must integrate Black communities as a designated group, and we support modernizing existing groups (Indigenous People, racialized people, and persons with disabilities).
- 3. The Employment Equity Act must evolve to consider intersectionality in the way it defines and effects employment equity by implementing a system that i) builds trust and understanding in the self-identification process, ii) allows self-identification with multiple groups, iii) enables intersectional analysis in measuring progress on employment equity, and iv) produces valuable datasets that inform on the state of employment equity in an intersectional manner.
- 4. The Employment Equity Act must provide support to employers to implement workforce data collection in a secure way that i) builds trust in data processes, ii) protects anonymity and confidentiality, iii) results in inclusive and precise data, and iv) prioritizes data security, considering the vulnerability that is required of data givers in the process.
- 5. The Employment Equity Act must enable a stronger mechanism for public reporting and transparency under the Act by i) requiring the publication of employment equity reports, ii) providing access to full and navigable datasets for researchers, iii) publishing RCI scores on a publicly available and searchable webpage, and iv) identifying and publishing the names of employers that do not meet compliance standards under the Act.

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About The Enchanté Network

Founded in 2020, the Enchanté Network is a national organization dedicated to connecting and supporting over 300 pride centres and 2SLGBTQI+ service providers across Canada. The Enchanté Network aims to enhance the effectiveness of our members by supporting organizational growth, fostering collaboration and conducting advocacy. We act as a national champion, ensuring these organizations have the resources and support needed to thrive and make a lasting impact. Learn more at **enchantenetwork.ca**

About Pride at Work Canada

Through dialogue, education and thought leadership, Pride at Work Canada/Fierté au travail Canada empowers Canadian employers to build workplaces that celebrate all employees. The vision we share with our employer members is a Canada where every individual can achieve their full potential at work, regardless of gender expression, gender identity, and sexual orientation. Learn more at **prideatwork.ca**



